

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION
CRIMINAL CASE NO. 2:12-cr-00007-MR-DLH**

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| UNITED STATES OF AMERICA, |) | |
| |) | |
| |) | |
| vs. |) | <u>JUDGMENT OF</u> |
| |) | <u>ACQUITTAL</u> |
| |) | |
| HARLAND LAVERN SQUIRREL. |) | |
| <hr/> |) | |

THIS MATTER came before the Court on the Defendant's oral motion pursuant to Rule 29 of the Federal Rules of Criminal Procedure for the entry of a judgment of acquittal.

The Defendant was charged in a seven-count Superseding Bill of Indictment on August 7, 2012. [Doc. 37]. This matter first came for trial in December 2012, resulting in a verdict of not guilty as to Count One and undecided as to Counts Two through Seven, and the Court declared a mistrial as to these latter Counts. During the second trial of this matter in June 2013, upon conclusion of the Government's evidence, the Defendant made an oral motion for acquittal pursuant to Rule 29 of the Federal Rules of Criminal Procedure. The Court granted the Defendant's motion as to Counts Two, Five, Six, and Seven, and denied the Defendant's motion as

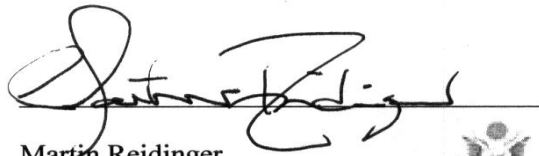
to Counts Three and Four. Upon conclusion of all the evidence, the Defendant renewed his motion with respect to the remaining counts. The Court again denied the motion, but without prejudice to reconsideration prior to the jury returning a verdict. See Fed. R. Crim. P. 29(b). After the case was submitted for the jury's consideration, but before the jury returned a verdict, the Court reconsidered the Defendant's motion and orally granted the motion as to the remaining counts of the Superseding Bill of Indictment.

For the reasons stated in open court,

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Defendant's motion for a judgment of acquittal pursuant to Rule 29 of the Federal Rules of Criminal Procedure is **GRANTED**.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Defendant Harland Lavern Squirrel is hereby **ACQUITTED** and **DISCHARGED** of all counts in the Superseding Bill of Indictment, and any bond is hereby **EXONERATED**.

Signed: July 3, 2013


Martin Reidinger
United States District Judge

